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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/692,549	10/23/2003	Lucas R. Melton	4100	1132

7590 04/06/2007

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EXAMINER	
LIN, SHEW FEN	
ART UNIT	**PAPER NUMBER**
2166	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/06/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	10/692,549	MELTON ET AL.	
	Examiner	Art Unit	
	Shew-Fen Lin	2166	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *04 January 2007*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-34,40 and 41* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-34,40 and 41* is/are rejected.

7)☒ Claim(s) _____ is/are objected to.

8)☒ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

a. This action is taken to response to amendments and remarks filed on 1/4/2007.

b. Claims 1-34 and 40-41 are pending. Claims 35-39 are cancelled and claims 40-41 are added. Claims 1, 16, 27, 35, and 40 are independent claims.

Terminal Disclaimer

The terminal disclaimer filed on 1/4/2007 disclaiming the terminal portion of any patent granted on this application, which would extend beyond the expiration date of co-pending application 10/607,812 has been reviewed and is accepted. The terminal disclaimer has been recorded.

Specification

In view of the amendment to the specification, the Examiner withdraws the objection to the specification given in the previous Office Action.

Withdrawal of Rejections/Objections

Applicants' amendments, submitted on 1/4/2007, overcome the 101 rejection and claim objections. Examiner hereby withdraws the rejection/objections that were given in the previous Office Action.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 12-16, 23-27, 31-34, and 40-41 are rejected under 35 U.S.C. 102(e) as being anticipated by Zhang et al. (US Patent Application Publication 2003/0187841, hereinafter Zhang).

As to claim 1, Zhang discloses in a computing environment, a method comprising:

receiving a request for taxonomy-related information with respect to Web services (paragraph [0015]), the request including data corresponding to an origin node within a taxonomy related to the Web services and data indicating that an expanded result set is desired (compound query statement, abstract, paragraph [0003], paragraph [0017], [0019]);

providing at least one query for taxonomy-related data with respect to the Web services, the taxonomy-related data corresponding to at least one node that is genealogically related to the origin node (Figure 1, paragraph [0038]-[0039], [0082], nodes in the same UDDI registry is genealogically related, i.e. in the same hierarchical tree);

receiving the taxonomy-related data based on the at least one query (Figure 6, items 606-607); and

returning a result set that includes the taxonomy-related data in response to the request (Figure 6, item 610).

As to claim 12, Zhang discloses The method of claim 1 wherein the request comprises an XML message (Figure 1, paragraph [0015], [0037], [0055]), and wherein returning a result set that includes the taxonomy-related data further comprises formatting the response as an XML message (Figure 1, paragraph [0045]).

As to claim 13, Zhang discloses. The method of claim 1 wherein the taxonomy-related information corresponds to a taxonomy maintained at a UDDI server (Figure 8, paragraph [0122]).

As to claim 14, Zhang discloses the method of claim 1 wherein the taxonomy-related information corresponds to a taxonomy having device information maintained therein (Figure 8, paragraph [0122]).

As to claim 15, is directed to a computer readable medium carrying instructions for performing the methods of claim 1 and is rejected along the same rationale.

As to claim 16, refer to "As to claim 1" presented earlier in this Office Action. Further, Zhang teaches constructing a request for taxonomy data related to Web services (Figure 2).

As to claims 23-25, refer to "As to claim 12" to "As to claim 14" presented earlier in this Office Action.

As to claim 26, is directed to a computer readable medium carrying instructions for performing the methods of claim 16 and is rejected along the same rationale.

As to claim 27, refer to "As to claim 1" presented earlier in this Office Action. Further, Zhang teaches expansion logic (Figure 1, item 11).

As to claim 31, refer to "As to claim 12" presented earlier in this Office Action.

As to claim 32, Zhang discloses the system of claim 27 wherein the database is coupled to the expansion logic via a server (Figure 1).

As to claim 33, Zhang discloses the system of claim 27 wherein the database is accessed through a server, and wherein the expansion logic is incorporated in a middle tier between the client and the server (Figure 1).

As to claim 34, Zhang discloses the system of claim 27 wherein the client provides the request to the server by calling an application programming interface, the application programming interface formatting the request as a message for communicating with the server (paragraph [0056], [0059]).

As to claim 40, Zhang discloses in a computing environment, a method comprising:

receiving a request for taxonomy-related information with respect to a plurality of computing resources (web-based data sources, abstract, paragraph [0005]), the request including data corresponding to an origin node within a taxonomy and data indicating that a desire for an expanded result set (compound query statement, abstract, paragraph [0003], paragraph [0017]);

providing at least one query for taxonomy-related data with respect to the plurality of computing resources, the taxonomy-related data corresponding to at least one node hierarchically related to the origin node (Figure 1, paragraph [0038]-[0039], [0082]);

receiving the taxonomy-related data based on the at least one query (Figure 6, items 606-607); and

returning a result set that includes the taxonomy-related data in response to the request (Figure 6, item 610).

As to claim 41, Zhang discloses the method of claim 40, wherein:

the request comprises and XML message (Figure 1, paragraph [0015], [0037], [0055]), and

returning a result set that includes the taxonomy-related data further comprises formatting the response as an XML message (Figure 1, paragraph [0045]).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 2-11, 17-22, and 28-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zhang as applied to claims 1, 16, and 27 above, and further in view of Goiffon et al. (US Patent 6,453,312, hereinafter Goiffon).

As to claims 2-11, Zhang discloses the method of claim 1 as noted above but does not explicitly disclose interpreting the request to determine that the request seeks data from at least one ancestor/ descendant / sibling node of the origin node, wherein the request includes a value corresponding to one or more generations of ancestor/ descendant / sibling nodes from which data is being sought.

Goiffon discloses performing query utilizing a hierarchical tree wherein the nodes of the tree describe parent/child/sibling relationship (abstract, Figure 3). The search word (node) in the hierarchical tree is located by traversal of the tree. Furthermore, the user is allowed to specify to expand the search to include parents, children, or siblings (Figure 4, column 4, lines 31-34, 43-53). The number of levels of hierarchy to be expanded can be specified (column 14, lines 44-65).

It would have been obvious to a person of ordinary skill in the art at the time of invention was made to modify Zhang's disclosure to expand search as taught by Goiffon for the purpose of locating relative services which a hierarchical concept tree is structured (column 1, lines 18-24, Goiffon). The skilled artisan would have been motivated to improve the invention of Zhang per the above such that relevant services/information can be provided to the users (column 1, lines 59-67, column 2, lines 1-2).

As to claims 17-22, refer to "As to claims 2-11" presented earlier in this Office Action.

As to claims 28-30, refer to "As to claims 2-11" presented earlier in this Office Action.

Response to Arguments

Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

Applicant's amendment necessitated the new grounds of rejection presented in this Office Action. Accordingly, **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shew-Fen Lin whose telephone number is 571-272-2672. The examiner can normally be reached on 8:30AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on 571-272-3978. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-9600.

SFL
Shew-Fen Lin
Patent Examiner

Art Unit 2166
March 30, 2007

HOSAIN ALAM
SUPERVISORY PATENT EXAMINER